

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VERLIN J. ALEXANDER
-V- PETITIONER

Civil Action

RAPHAEL WILLIAMS, ET AL.,
RESPONDENTS.

NO. 07-CV-1, JJF

MEMORANDUM OF LAW IN SUR OF PETITIONERS
PETITION FOR WRIT OF HABEAS CORPUS 28 U.S.C. 2254

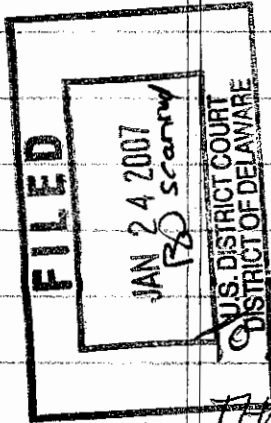
THE HONORABLE JUDGE JOSEPH J. FARNAN, JR. OF
THE ABOVE-SAID COURT:

THE PETITIONER, VERLIN J. ALEXANDER, PRO-SE, RESPECT-
FULLY REQUEST THAT THIS HONORABLE COURT GRANT A
WRIT OF HABEAS CORPUS FOR THE REASONS THAT FOLLOW:

1. THIS HONORABLE COURT HAS THE AUTHORITY AND JURIS-
DICTION TO ENTERTAIN THIS MATTER PURSUANT TO UNITED
STATES EXREL. GRAND - V - ANDERSON, 318 F. SUPP. 263 (D. DEL.
1970), AFF'D, 446 F.2D 272 (3D CIR. 1971),

"WHERE SUPERIOR COURT RULES 35 AND 61, ON ITS FACE
DOES NOT AFFORD AN AGGRIEVED PARTY THE RIGHT OF REVIEW
FROM AN ORDER OF EXTRADITION AND 10 DEL.C. § 6902 EX-
PRESSLY EXEMPTS EXTRADITION PROCEEDING FROM THE RIGHT
OF REVIEW BY WAY OF HABEAS CORPUS, THE COURT COULD NOT
CONCLUDE THAT THIS PETITIONER HAS FAILED TO EXHAUST
STATE REMEDIES

THE STATE OF DELAWARE HAS ~~NOT~~ NO STATE REMEDY EXISTS
TO REVIEW EXTRADITION; WHERE EXTRADITION IS A FEDERAL
QUESTION; CUYLER - V - ADAMS, 101 S. CT. 703 (1981).



THE DELAWARE STATE OFFICIALS VIOLATED THE TERMS OF THE UNIFORM CRIMINAL EXTRADITION ACT, PETITIONER WAS ENTITLED TO THE PROCEDURAL PROTECTIONS OF THAT ACT, PURSUANT TO CUYLER - V - ADAMS, SUPRA., CITING MAINE - V - THIBOUTOT, 448 U.S. 1, 100 S. CT. 2502, 65 L. ED. 2D 555 (1980), AND ALSO; THE DUE PROCESS AND EQUAL PROTECTION OF LAW CLAUSE OF THE FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION, WHEN PETITIONER WAS EXTRADITION FROM PENNSYLVANIA TO DELAWARE BY DELAWARE STATE OFFICIALS KNOWING THAT THEY WERE IN VIOLATION OF THE TIME PROCEDURE BY WAITING TO OCTOBER 2006 TO EXTRADITE PETITIONER AFTER MAKING A DECEMBER 2005 REQUISITION.

WHEREFORE, THE ABOVE-SAID REASONS THE PETITIONER RESPECTFULLY REQUEST THAT THIS HONORABLE COURT GRANT A WRIT OF HABEAS CORPUS DISCHARGING THE PETITIONER IN THE INTEREST OF DUE PROCESS AND EQUAL PROTECTION OF THE LAWS.

RESPECTFULLY SUBMITTED

Verlin J. Alexander

DATED: JANUARY 22, 2007

VERLIN J. ALEXANDER

SBI # 098778

HOWARD R. YOUNG CORRECTIONAL INST.

1301 E. 12TH STREET

WILMINGTON, DELAWARE 19809

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CERTIFICATE OF SERVICE

I, VERLIN J. ALEXANDER, PETITIONER, PRO-SE, HEREBY
CERTIFY THAT ON THIS 22nd DAY OF JANUARY, 2007,
I CAUSED TO BE SERVED A COPY OF THE FOREGOING,
"MEMORANDUM OF LAW IN SUR OF PETITIONER'S PETITION
FOR WRIT OF HABEAS CORPUS 28 U.S.C. 2254, BY U.S.
MAIL, PREPAID, UPON THE FOLLOWING PARTY:

JOSEPH R. BIDEN, III
ATTORNEY GENERAL OF DELAWARE
DEPARTMENT OF JUSTICE
820 N. FRENCH STREET
WILMINGTON, DELAWARE 19801

RESPECTFULLY SUBMITTED

Verlin J. Alexander

VERLIN J. ALEXANDER

SBI # 098778

HOWARD R. YOUNG CORRECTIONAL INST.

1301 E. 12TH STREET

WILMINGTON, DELAWARE 19809

MR. VERLIND ALEXANDER
SBI # 098778
HOWARD R. YOUNG CORRECTIONAL INST.
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WILMINGTON, DELAWARE 19809

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